

**REMARKS**

Claims 1-23 have been cancelled, without prejudice. Claim 25 has been amended. Claims 24-31 remain in the application. Applicant reserves the right to pursue the original claims and other claims in this and other applications.

The abstract is objected to as being informal. Reconsideration is respectfully requested. The abstract has been amended to overcome the concerns raised in the Office Action.

Claim 25 is objected to as being informal. Reconsideration is respectfully requested. The claim has been amended to overcome the concerns raised in the Office Action.

Claims 24-31 are rejected under 35 U.S.C. §102(e) as being anticipated by Ogawa U.S. Patent No. 6,704,269. Reconsideration is respectfully requested.

Ogawa discloses a recording technique to perform recording at a recording speed (linear velocity) the same as a recording speed at which an optimum power calibration (OPC) is performed. On the other hand, according to the invention recited in claim 24, an optimum power calibration (test-writing) is performed at a basic recording speed (basic linear velocity) and an optimum power is determined based on the test-writing. An optimum power is then calculated at a different recording speed based on the optimum power determined by the test-writing. Ogawa does not disclose such a technique in which an optimum power for a recording speed different from the test-writing recording speed is calculated based on the optimum power determined by the test-writing.

In both the present application and Ogawa, the recording speed corresponds to the linear velocity. When accessing the OPC area positioned in an inner side of a


disk, the rotating speed of the disk must be increased. Accordingly, the technique disclosed in Ogawa requires increasing the rotating speed of the disk when performing test-writing. On the other hand, according to the present invention, there is no need to increase the rotating speed of the disk since the optimum power at a different recording speed can be calculated. Additionally, according to the present invention, a running OPC (test-writing) can be carried out during recording operation at a recording speed that was used in a previous OPC.

Claim 24 says that a calculation is "performed to said optimum recording power" where "said optimum recording power" is previously determined in a "test-writing," and the recording is performed "at a linear velocity different from" the "basic linear velocity" used in the "test-writing." Ogawa does not disclose or suggest this important aspect of the claimed invention. Therefore, the rejection of claim 24 should be withdrawn. Claims 25-31 should be allowable along with claim 24.

Allowance of the application with claims 24-31 is solicited.

Dated: September 20, 2004

Respectfully submitted,

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